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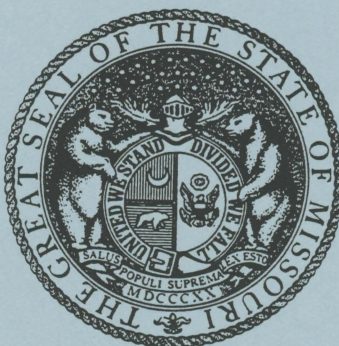
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# MISSOURI LEGAL MALPRACTICE INSURANCE REPORT 1992



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Missouri Department of Insurance  
Statistics Section  
September 1993

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# **MISSOURI LEGAL MALPRACTICE INSURANCE REPORT 1992**

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**Missouri Department of Insurance  
Statistics Section  
September 1993**

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# LEGAL MALPRACTICE INSURANCE REPORT

## EXECUTIVE SUMMARY

This report is a summary of Legal Malpractice insurance experience in Missouri for the years 1985 through 1992. The charts, graphs and tables in the first seven sections of this report which contain closed claim information were constructed from data collected by the Missouri Department of Insurance as required by Section 383.077 RSMo. Premium and loss data, obtained from the Missouri Page 14 Supplement, are presented in the final section.

The total number of claims closed in 1992 declined to 204 from the period high of 207 in 1991. This reduction in closed claims came entirely from a decrease in claims closed with payment, where the number reported dropped by one-third, from 54 in 1991 to 36 in 1992. Between the years 1985 and 1992, 852 legal malpractice claims were closed in Missouri. Of all claims closed, 170 (20%) were closed with payment. Claims settled through court proceedings totaled 115, however, only 14% of these claims were closed with payment.

The cost to an insurer, the loss adjustment expense, or LAE, (i.e. legal fees, claims adjustment costs, etc.), for settling legal malpractice cases has fluctuated over the past eight years. In 1992, the average loss adjustment expense for all claims closed with payment was \$58,725, while the expenses for all claims, closed with or without payment, averaged only \$12,497. The highest average loss adjustment expense for claims closed with payment occurred in 1989 at \$97,909. However, since the majority of claims closed in 1989 were closed without payment, costing an average of \$2,805 in expenses to settle, the average LAE for all claims amounted to only \$20,920.

In Sections II - VII, indemnities paid on closed claims have been categorized by various claim characteristics. The number of closed claims, average paid claim, and the total amount paid are included in each of these six sections. The categories used for the indemnity analysis are:

- Area of law in which the insured was retained by the claimant
- Major activity in which the lawyer was engaged at the time the alleged error or omission occurred

- Alleged error or omission which was the most significant reason for making the claim
- The legal disposition of the claim at the closing date
- The number of years the insured had been in practice at the time of the alleged error or omission
- The relationship of the insured to the claimant

The largest percent of claims closed in 1992 (56 out of 204) were initiated by plaintiffs in bodily injury/property damage cases (*BI/PD - Plaintiff*). During 1992, a single claim totalling \$3.1 million claim was settled in the *Securities (S.E.C.)* area of law. As a result, *S.E.C.* law had the highest average paid claim over the eight year period at \$190,229. Similarly, a \$3.2 million settlement in 1989 involving *Real Estate* law was the primary factor for this area of law reporting the greatest eight year total indemnity paid (\$4.0 million).

Dissatisfaction regarding *referring the claimant to another professional* resulted in highest average paid claim in 1992 at \$1.6 million and over the eight year period at \$137,978. However, the largest proportion of all claims closed in 1992, as well as 1985 - 1992, occurred during the *commencement of action or proceeding*. These two professional activities comprise over 70% of the total losses paid for Missouri Legal Malpractice claims during 1992.

The most common reason stated for filing a claim, of all claims closed in 1992, was *failure to ascertain deadline correctly*. This alleged error/omission was also the cause for the largest number of claims over the eight year span with 86, closely followed by *failure to know or properly apply the law* with 85 closed claims. The alleged error or omission that represented the largest proportion of all claims paid for 1992 was *fraud* at 56%, while *conflict of interest* accounted for the highest percent of the eight year total at almost 26%.

Thirty-nine percent (39%) of all claims closed during 1992 were settled before the claimant filed a suit or demanded a hearing. This classification of claim disposition accounted for nearly 20% of the total indemnity paid for 1992 closed claims, while claims closed after appeal consisted of over 61% of the total. More than two-thirds of the total dollars paid in Missouri for Legal Malpractice claims closed during the eight year span involved claims that were settled before filing a suit or

demanding a hearing and claims that were disposed of before a trial or hearing.

In the last two sections of the indemnity analysis, years admitted to practice and insured/claimant relationship, only the eight year combined experience is reported. The three divisions of years admitted to practice are: under 4 years, 4 to 10 years, and over 10 years. The largest proportion of losses (71%) occurred in the last subdivision, over 10 years admitted to practice. The insured's relationship to the claimant is partitioned into four subclasses: free legal service, member of pre-paid legal plan, client other than the preceding, and non-client. The most claims occurred in the category of client other than the preceding (i.e. client that did not receive free legal service and client that is not a member of a pre-paid legal plan). However, the highest average claim of \$35,898 was paid to non-clients.

Only fourteen companies have reported legal malpractice insurance business in Missouri during the years of 1985-1992. The Bar Plan Mutual Insurance Company, has commanded at least 70% of legal malpractice insurance market in this state each year since 1986.

In 1992 the loss ratio for Legal Malpractice insurance in Missouri was 47%. This figure is 17% lower than the eight year loss ratio of 64%. Loss ratios for this line of business have varied greatly over the time period studied ranging from 3% in 1987 to 127% in 1990.

Copies of this report will be made available in braille, large print, or on audio cassette upon request.

Any questions regarding this report should be addressed to the Statistics Section, Missouri Department of Insurance, P.O. Box 690, Jefferson City, MO 65102-0690.

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**EIGHT YEAR  
SUMMARY  
(1985 - 1992)**

**MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE EXPERIENCE  
EIGHT YEAR SUMMARY  
(1985-1992)**

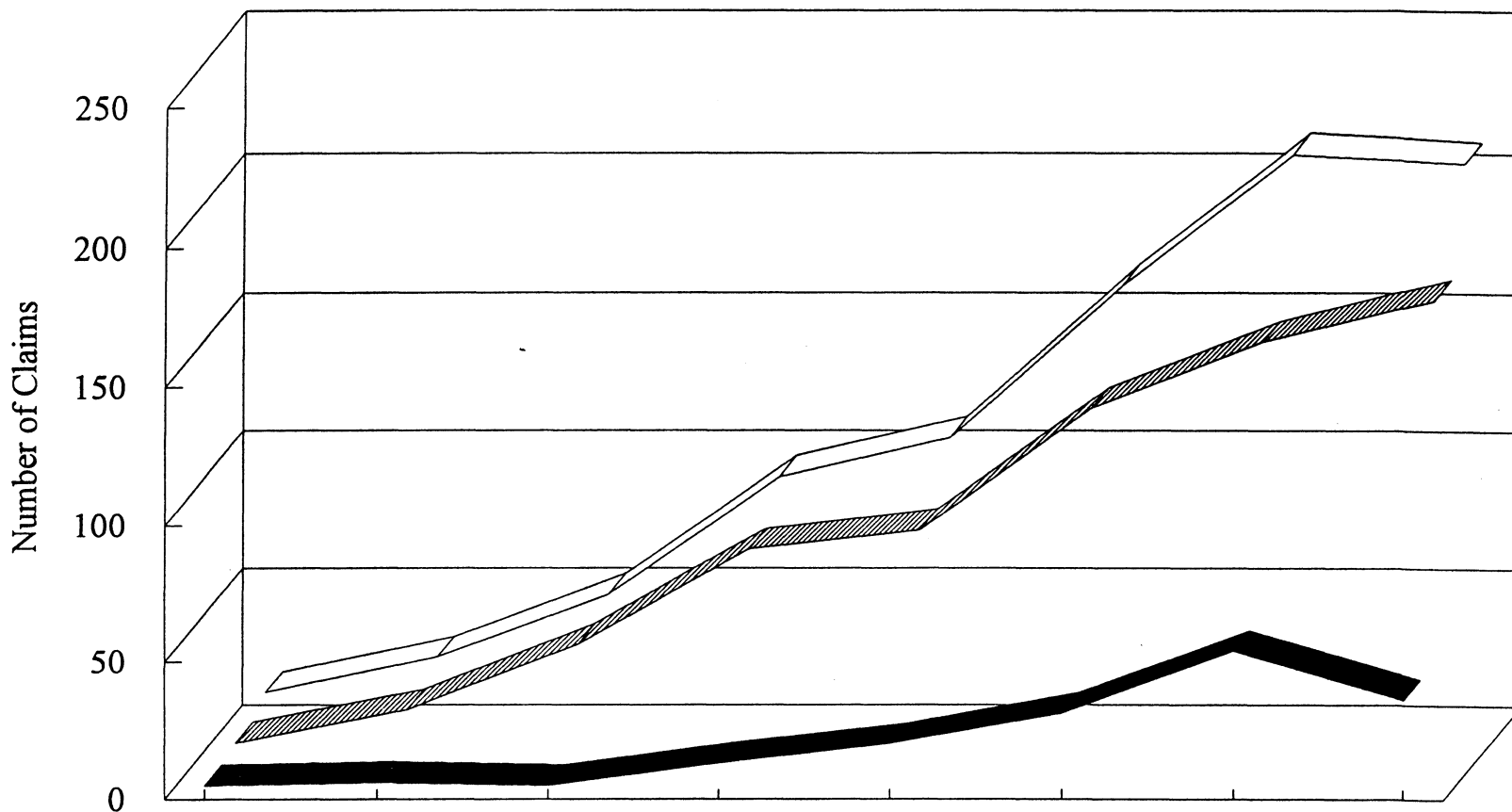
Closed Claims	Number of Claims	INDEMNITY PAID		LOSS EXPENSES		
		Total Claims Paid	Average Claim Paid	Total Expenses Paid	Average Expense Paid	% of Total Paid
All Closed Claims	852	19,532,283	22,925	10,900,792	12,794	100.00%
Closed with Payment	170	19,532,283	114,896	8,735,099	51,383	80.13%
Claims Settled Through Court Proceedings	115	5,563,955	48,382	2,981,167	25,923	27.35%
Court Proceedings Resulting in Payment	16	5,563,955	347,747	2,021,378	126,336	18.54%



# MISSOURI LEGAL MALPRACTICE INSURANCE

## CLOSED CLAIMS

1985 - 1992

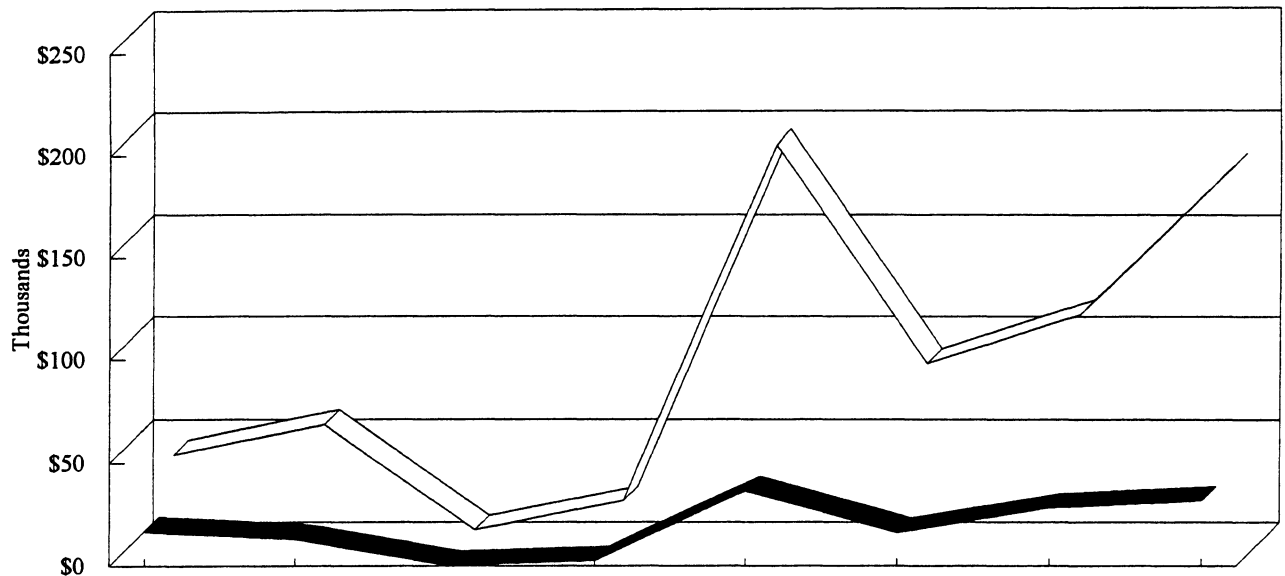


YEAR	1985	1986	1987	1988	1989	1990	1991	1992
Closed with Pymt	5	6	5	13	20	31	54	36
Closed W/O Pymt	7	19	43	78	85	129	153	168
Total	12	25	48	91	105	160	207	204

# MISSOURI LEGAL MALPRACTICE INSURANCE

## AVERAGE PAID CLAIM

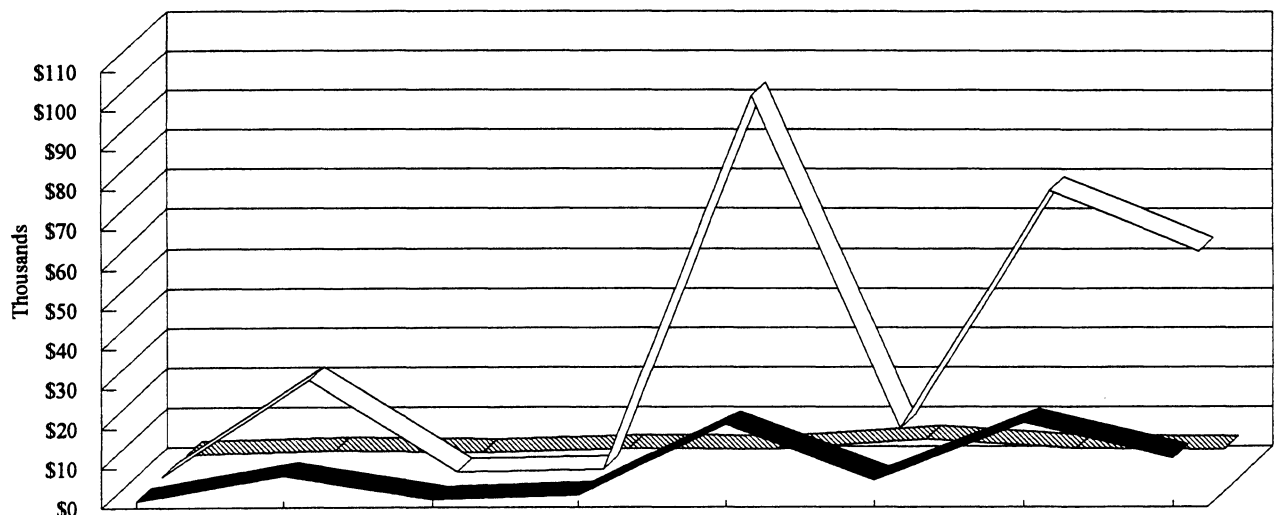
1985 - 1992



YEAR	1985	1986	1987	1988	1989	1990	1991	1992
All Closed Claims	\$16,666	\$13,074	\$352	\$2,521	\$36,458	\$16,312	\$28,184	\$31,800
Closed with Pymt	\$39,998	\$54,474	\$3,375	\$17,646	\$191,403	\$84,193	\$108,037	\$180,198

## AVERAGE PAID LOSS ADJUSTMENT EXPENSE

1985 - 1992



YEAR	1985	1986	1987	1988	1989	1990	1991	1992
All Claims	\$1,644	\$8,123	\$2,041	\$3,133	\$20,920	\$6,956	\$21,430	\$12,497
Closed W Pymt	\$1,844	\$26,159	\$3,080	\$3,737	\$97,909	\$14,072	\$74,007	\$58,725
Closed W/O Pymt	\$1,501	\$2,427	\$1,920	\$3,032	\$2,805	\$5,246	\$2,873	\$2,590

**INDEMNITY ANALYSIS**  
**BY**  
**AREA OF LAW**

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985-1992

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	99	40,900	4,049,089	20.64
ESTATE, TRUST & PROBATE	94	24,443	2,297,652	11.71
FAMILY LAW	69	4,735	326,744	1.67
BI/PD - PLAINTIFF	217	9,915	2,151,608	10.97
BI/PD - DEFENDANT	53	44,407	2,353,547	12.00
WORKERS COMPENSATION	13	2,304	29,950	0.15
SECURITIES (S.E.C)	20	190,229	3,804,577	19.40
COLLECTION & BANKRUPTCY	64	4,081	261,206	1.33
TAXATION	18	7,017	126,300	0.64
CRIMINAL	50	90	4,500	0.02
ANTI TRUST	1	0	0	0.00
CIVIL RIGHTS & COMMISSION	10	5,800	58,000	0.30
CONSUMER CLAIMS	4	24,163	96,651	0.49
CONSTRUCTION (BUILDING CONTRACTS)	3	13,889	41,666	0.21
CORPORATE & BUSINESS ORGANIZATION	18	159,722	2,875,000	14.66
ENVIRONMENT	1	40,000	40,000	0.20
GOVERNMENT CONTRACTS & CLAIMS	1	0	0	0.00
INTERNATIONAL LAW	1	0	0	0.00
LABOR LAW	24	17,648	423,543	2.16
LOCAL GOVERNMENT	17	0	0	0.00
NATIONAL RESOURCES	1	26,000	26,000	0.13
BUSINESS TRANSACTION/COMMERCIAL LAW	74	8,757	648,000	3.30
TOTAL	852	23,021	19,614,033	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1992 -----

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	16	21,784	348,537	5.37
ESTATE, TRUST & PROBATE	17	42,487	722,272	11.13
FAMILY LAW	18	1,663	29,935	0.46
BI/PD - PLAINTIFF	56	15,545	870,500	13.42
BI/PD - DEFENDANT	14	1,857	26,000	0.40
WORKERS COMPENSATION	3	8,000	24,000	0.37
SECURITIES (S.E.C)	5	638,500	3,192,500	49.21
COLLECTION & BANKRUPTCY	16	378	6,042	0.09
TAXATION	2	10,650	21,300	0.33
CRIMINAL	11	0	0	0.00
CIVIL RIGHTS & COMMISSION	3	0	0	0.00
CORPORATE & BUSINESS ORGANIZATION	5	70,000	350,000	5.40
ENVIRONMENT	1	40,000	40,000	0.62
LABOR LAW	13	29,503	383,543	5.91
LOCAL GOVERNMENT	7	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	17	27,794	472,500	7.28
TOTAL	204	31,800	6,487,129	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1991 -----

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	22	8,659	190,500	3.27
ESTATE, TRUST & PROBATE	40	23,525	941,000	16.13
FAMILY LAW	12	22,088	265,061	4.54
BI/PD - PLAINTIFF	49	12,547	614,791	10.54
BI/PD - DEFENDANT	8	289,375	2,315,000	39.68
WORKERS COMPENSATION	5	1,190	5,950	0.10
SECURITIES (S.E.C)	7	78,258	547,809	9.39
COLLECTION & BANKRUPTCY	12	9,632	115,578	1.98
TAXATION	9	556	5,000	0.09
CRIMINAL	8	0	0	0.00
CIVIL RIGHTS & COMMISSION	2	0	0	0.00
CONSUMER CLAIMS	1	96,651	96,651	1.66
CONSTRUCTION (BUILDING CONTRACTS)	2	8,333	16,666	0.29
CORPORATE & BUSINESS ORGANIZATION	6	95,833	575,000	9.86
LABOR LAW	1	0	0	0.00
LOCAL GOVERNMENT	4	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	19	7,632	145,000	2.49
TOTAL	207	28,184	5,834,006	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1990

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	20	4,288	85,750	3.29
ESTATE, TRUST & PROBATE	11	5,545	61,000	2.34
FAMILY LAW	14	553	7,748	0.30
BI/PD - PLAINTIFF	49	5,528	270,877	10.38
BI/PD - DEFENDANT	8	1,250	10,000	0.38
WORKERS COMPENSATION	4	0	0	0.00
COLLECTION & BANKRUPTCY	11	8,601	94,611	3.62
TAXATION	1	0	0	0.00
CRIMINAL	6	0	0	0.00
CIVIL RIGHTS & COMMISSION	2	29,000	58,000	2.22
CONSUMER CLAIMS	2	0	0	0.00
CONSTRUCTION (BUILDING CONTRACTS)	1	25,000	25,000	0.96
CORPORATE & BUSINESS ORGANIZATION	3	650,000	1,950,000	74.71
INTERNATIONAL LAW	1	0	0	0.00
LABOR LAW	3	13,333	40,000	1.53
LOCAL GOVERNMENT	6	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	18	389	7,000	0.27
TOTAL	160	16,312	2,609,986	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1989

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	12	267,171	3,206,052	83.75
ESTATE, TRUST & PROBATE	15	25,893	388,392	10.15
FAMILY LAW	7	1,286	9,000	0.24
BI/PD - PLAINTIFF	28	5,464	153,000	4.00
BI/PD - DEFENDANT	6	0	0	0.00
SECURITIES (S.E.C)	6	10,711	64,268	1.68
COLLECTION & BANKRUPTCY	8	919	7,350	0.19
TAXATION	3	0	0	0.00
CRIMINAL	8	0	0	0.00
CORPORATE & BUSINESS ORGANIZATION	1	0	0	0.00
LABOR LAW	2	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	8	0	0	0.00
TOTAL	104	36,808	3,828,062	100.00



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1988

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	12	8,917	107,000	46.64
ESTATE, TRUST & PROBATE	5	9,800	49,000	21.36
FAMILY LAW	11	1,364	15,000	6.54
BI/PD - PLAINTIFF	20	1,032	20,643	9.00
BI/PD - DEFENDANT	10	0	0	0.00
SECURITIES (S.E.C)	1	0	0	0.00
COLLECTION & BANKRUPTCY	9	3,972	35,750	15.58
CRIMINAL	8	250	2,000	0.87
CIVIL RIGHTS & COMMISSION	2	0	0	0.00
CORPORATE & BUSINESS ORGANIZATION	2	0	0	0.00
LABOR LAW	2	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	9	0	0	0.00
TOTAL	91	2,521	229,393	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1987

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	9	389	3,500	20.74
ESTATE, TRUST & PROBATE	4	0	0	0.00
FAMILY LAW	4	0	0	0.00
BI/PD - PLAINTIFF	8	938	7,500	44.44
BI/PD - DEFENDANT	4	0	0	0.00
SECURITIES (S.E.C)	1	0	0	0.00
COLLECTION & BANKRUPTCY	5	375	1,875	11.11
TAXATION	1	0	0	0.00
CRIMINAL	6	417	2,500	14.81
CIVIL RIGHTS & COMMISSION	1	0	0	0.00
CONSUMER CLAIMS	1	0	0	0.00
GOVERNMENT CONTRACTS & CLAIMS	1	0	0	0.00
LABOR LAW	1	0	0	0.00
BUSINESS TRANSACTION/COMMERCIAL LAW	2	750	1,500	8.89
TOTAL	48	352	16,875	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1986

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
REAL ESTATE	6	4,333	26,000	7.95
ESTATE, TRUST & PROBATE	1	0	0	0.00
FAMILY LAW	3	0	0	0.00
BI/PD - PLAINTIFF	5	39,659	198,297	60.67
BI/PD - DEFENDANT	3	849	2,547	0.78
COLLECTION & BANKRUPTCY	2	0	0	0.00
TAXATION	1	100,000	100,000	30.60
CRIMINAL	3	0	0	0.00
LABOR LAW	1	0	0	0.00
TOTAL	25	13,074	326,844	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1985

AREA OF LAW	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
AREA OF LAW				
REAL ESTATE	1	0	0	0.00
ESTATE, TRUST & PROBATE	1	135,988	135,988	68.00
BI/PD - PLAINTIFF	2	8,000	16,000	8.00
WORKERS COMPENSATION	1	0	0	0.00
COLLECTION & BANKRUPTCY	1	0	0	0.00
TAXATION	1	0	0	0.00
ANTITRUST	1	0	0	0.00
CORPORATE & BUSINESS ORGANIZATION	1	0	0	0.00
LABOR LAW	1	0	0	0.00
NATIONAL RESOURCES	1	26,000	26,000	13.00
BUSINESS TRANSACTION/COMMERCIAL LAW	1	22,000	22,000	11.00
TOTAL	12	16,666	199,988	100.00



**INDEMNITY ANALYSIS**  
**BY**  
**MAJOR ACTIVITY**



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985-1992

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	206	13,101	2,698,817	13.76
PRE-TRIAL, PRE-HEARING	107	20,535	2,197,250	11.20
TRIAL OR HEARING	47	5,255	246,988	1.26
POST TRIAL OR HEARING	12	0	0	0.00
APPEAL ACTIVITIES	22	6,818	150,000	0.76
PREPARATION, TRANSMITTAL OR FILING	80	8,892	711,346	3.63
SETTLEMENT AND NEGOTIATION	98	26,587	2,605,484	13.28
EXPARTE PROCEEDINGS	34	27,270	927,164	4.73
INVESTIGATION, OTHER THAN LITIGATION	16	6,915	110,643	0.56
TAX REPORTING OR PAYMENT	11	11,027	121,300	0.62
TITLE OPINION	19	5,763	109,500	0.56
OTHER WRITTEN OPINION	30	10,887	326,618	1.67
CONSULTATION OR ADVICE	93	30,721	2,857,061	14.57
REFERRAL TO ANOTHER PROFESSIONAL	23	137,978	3,173,500	16.18
OTHER	54	62,562	3,378,362	17.22
TOTAL	852	23,021	19,614,033	100.00



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1992 -----

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	62	24,005	1,488,335	22.94
PRE-TRIAL, PRE-HEARING	24	750	18,000	0.28
TRIAL OR HEARING	14	1,857	26,000	0.40
POST TRIAL OR HEARING	3	0	0	0.00
APPEAL ACTIVITIES	6	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	19	4,462	84,787	1.31
SETTLEMENT AND NEGOTIATION	25	600	15,000	0.23
EXPARTE PROCEEDINGS	14	50,877	712,272	10.98
INVESTIGATION, OTHER THAN LITIGATION	3	13,333	40,000	0.62
TAX REPORTING OR PAYMENT	2	10,650	21,300	0.33
OTHER WRITTEN OPINION	5	13,500	67,500	1.04
CONSULTATION OR ADVICE	14	60,714	850,000	13.10
REFERRAL TO ANOTHER PROFESSIONAL	2	1,562,500	3,125,000	48.17
OTHER	11	3,540	38,935	0.60
TOTAL	204	31,800	6,487,129	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1991 -----

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	43	18,572	798,576	13.69
PRE-TRIAL, PRE-HEARING	22	93,807	2,063,750	35.37
TRIAL OR HEARING	7	0	0	0.00
POST TRIAL OR HEARING	1	0	0	0.00
APPEAL ACTIVITIES	4	37,500	150,000	2.57
PREPARATION, TRANSMITTAL OR FILING	17	9,577	162,809	2.79
SETTLEMENT AND NEGOTIATION	21	19,550	410,560	7.04
EX PARTE PROCEEDINGS	6	6,083	36,500	0.63
INVESTIGATION, OTHER THAN LITIGATION	3	8,333	25,000	0.43
TAX REPORTING OR PAYMENT	5	0	0	0.00
TITLE OPINION	6	7,583	45,500	0.78
OTHER WRITTEN OPINION	6	33,333	200,000	3.43
CONSULTATION OR ADVICE	51	38,040	1,940,061	33.25
REFERRAL TO ANOTHER PROFESSIONAL	7	0	0	0.00
OTHER	8	156	1,250	0.02
TOTAL	207	28,184	5,834,006	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1990 -----

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	46	4,426	203,609	7.80
PRE-TRIAL, PRE-HEARING	19	5,000	95,000	3.64
TRIAL OR HEARING	11	7,727	85,000	3.26
POST TRIAL OR HEARING	1	0	0	0.00
APPEAL ACTIVITIES	3	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	14	1,161	16,250	0.62
SETTLEMENT AND NEGOTIATION	20	101,006	2,020,127	77.40
EXPARTE PROCEEDINGS	6	0	0	0.00
INVESTIGATION, OTHER THAN LITIGATION	2	3,500	7,000	0.27
TAX REPORTING OR PAYMENT	2	0	0	0.00
TITLE OPINION	8	8,000	64,000	2.45
OTHER WRITTEN OPINION	6	0	0	0.00
CONSULTATION OR ADVICE	11	500	5,500	0.21
REFERRAL TO ANOTHER PROFESSIONAL	5	9,700	48,500	1.86
OTHER	6	10,833	65,000	2.49
TOTAL	160	16,312	2,609,986	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1989

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	22	4,864	107,000	2.80
PRE-TRIAL, PRE-HEARING	11	0	0	0.00
TRIAL OR HEARING	4	0	0	0.00
POST TRIAL OR HEARING	1	0	0	0.00
APPEAL ACTIVITIES	3	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	15	16,600	249,000	6.50
SETTLEMENT AND NEGOTIATION	11	3,091	34,000	0.89
EXPARTE PROCEEDINGS	6	29,732	178,392	4.66
INVESTIGATION, OTHER THAN LITIGATION	1	0	0	0.00
TITLE OPINION	2	0	0	0.00
OTHER WRITTEN OPINION	5	11,824	59,118	1.54
CONSULTATION OR ADVICE	9	1,389	12,500	0.33
REFERRAL TO ANOTHER PROFESSIONAL	4	0	0	0.00
OTHER	10	318,805	3,188,052	83.28
TOTAL	104	36,808	3,828,062	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1988

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	19	3,145	59,750	26.05
PRE-TRIAL, PRE-HEARING	19	553	10,500	4.58
TRIAL OR HEARING	6	0	0	0.00
POST TRIAL OR HEARING	2	0	0	0.00
APPEAL ACTIVITIES	2	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	7	13,286	93,000	40.54
SETTLEMENT AND NEGOTIATION	8	1,500	12,000	5.23
EX PARTE PROCEEDINGS	2	0	0	0.00
INVESTIGATION, OTHER THAN LITIGATION	4	1,286	5,143	2.24
TITLE OPINION	2	0	0	0.00
OTHER WRITTEN OPINION	4	0	0	0.00
CONSULTATION OR ADVICE	7	7,000	49,000	21.36
REFERRAL TO ANOTHER PROFESSIONAL	2	0	0	0.00
OTHER	7	0	0	0.00
TOTAL	91	2,521	229,393	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1987 -----

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	8	0	0	0.00
PRE-TRIAL, PRE-HEARING	8	313	2,500	14.81
TRIAL OR HEARING	3	0	0	0.00
POST TRIAL OR HEARING	2	0	0	0.00
APPEAL ACTIVITIES	1	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	3	1,167	3,500	20.74
SETTLEMENT AND NEGOTIATION	7	0	0	0.00
INVESTIGATION, OTHER THAN LITIGATION	2	3,750	7,500	44.44
TITLE OPINION	1	0	0	0.00
OTHER WRITTEN OPINION	2	0	0	0.00
CONSULTATION OR ADVICE	1	0	0	0.00
REFERRAL TO ANOTHER PROFESSIONAL	2	0	0	0.00
OTHER	8	422	3,375	20.00
TOTAL	48	352	16,875	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1986 -----

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	3	9,516	28,547	8.73
PRE-TRIAL, PRE-HEARING	3	2,500	7,500	2.29
TRIAL OR HEARING	1	0	0	0.00
POST TRIAL OR HEARING	2	0	0	0.00
APPEAL ACTIVITIES	3	0	0	0.00
PREPARATION, TRANSMITTAL OR FILING	2	40,000	80,000	24.48
SETTLEMENT AND NEGOTIATION	5	22,159	110,797	33.90
TAX REPORTING OR PAYMENT	1	100,000	100,000	30.60
OTHER WRITTEN OPINION	2	0	0	0.00
REFERRAL TO ANOTHER PROFESSIONAL	1	0	0	0.00
OTHER	2	0	0	0.00
TOTAL	25	13,074	326,844	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1985

MAJOR ACTIVITY CODE	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
COMMENCEMENT OF ACTION OR PROCEEDING	3	4,333	13,000	6.50
PRE-TRIAL, PRE-HEARING	1	0	0	0.00
TRIAL OR HEARING	1	135,988	135,988	68.00
PREPARATION, TRANSMITTAL OR FILING	3	7,333	22,000	11.00
SETTLEMENT AND NEGOTIATION	1	3,000	3,000	1.50
INVESTIGATION, OTHER THAN LITIGATION	1	26,000	26,000	13.00
TAX REPORTING OR PAYMENT	1	0	0	0.00
OTHER	1	0	0	0.00
TOTAL	12	16,666	199,988	100.00





**INDEMNITY ANALYSIS**  
**BY**  
**ALLEGED ERROR OR OMISSION**



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985-1992

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	48	11,496	551,791	2.81
FAILURE TO REACT TO CALENDAR	14	8,071	113,000	0.58
FAIL TO ASCERTAIN DEADLINE CORRECTLY	86	9,376	806,339	4.11
FAIL TO FILE DOCUMENTS WITH NO DEADLINE	11	16,500	181,500	0.93
PROCRASTINATION OR LACK OF FOLLOW-UP	35	17,331	606,600	3.09
ERROR IN MATHEMATICAL CALCULATION	1	1,875	1,875	0.01
LOST FILE, DOCUMENT OR EVIDENCE	2	14,500	29,000	0.15
CLERICAL ERROR	9	4,833	43,500	0.22
ERROR IN PUBLIC RECORD SEARCH	19	2,816	53,500	0.27
PLANNING OR STRATEGY ERROR	67	9,567	641,000	3.27
INADEQUATE INVESTIGATION	76	7,141	542,726	2.77
FAIL TO ANTICIPATE TAX CONSEQUENCES	25	7,168	179,203	0.91
FAIL TO KNOW OR PROPERLY APPLY THE LAW	86	13,556	1,165,787	5.94
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	53	3,274	173,500	0.88
FAIL TO OBTAIN CLIENTS CONSENT	36	34,994	1,259,778	6.42
IMPROPER WITHDRAWAL FROM REPRESENTATION	20	5,100	102,000	0.52
CONFLICT OF INTEREST	64	79,168	5,066,750	25.83
LIBEL OR SLANDER	11	182	2,000	0.01
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	42	2,687	112,861	0.58
VIOLATION OF CIVIL RIGHTS	42	13,696	575,248	2.93
FRAUD	47	83,038	3,902,809	19.90
OTHER	58	60,401	3,503,266	17.86
TOTAL	852	23,021	19,614,033	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1992

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	15	2,667	40,000	0.62
FAILURE TO REACT TO CALENDAR	1	0	0	0.00
FAIL TO ASCERTAIN DEADLINE CORRECTLY	29	12,976	376,292	5.80
FAIL TO FILE DOCUMENTS WITH NO DEADLINE	5	12,300	61,500	0.95
PROCRASTINATION OR LACK OF FOLLOW-UP	6	83,833	503,000	7.75
CLERICAL ERROR	4	10,000	40,000	0.62
ERROR IN PUBLIC RECORD SEARCH	1	0	0	0.00
PLANNING OR STRATEGY ERROR	25	10,000	250,000	3.85
INADEQUATE INVESTIGATION	16	23,539	376,630	5.81
FAIL TO ANTICIPATE TAX CONSEQUENCES	3	8,312	24,935	0.38
FAIL TO KNOW OR PROPERLY APPLY THE LAW	22	20,377	448,298	6.91
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	12	2,500	30,000	0.46
FAIL TO OBTAIN CLIENTS CONSENT	10	67,500	675,000	10.41
IMPROPER WITHDRAWAL FROM REPRESENTATION	5	0	0	0.00
CONFLICT OF INTEREST	12	0	0	0.00
LIBEL OR SLANDER	1	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	13	692	9,000	0.14
VIOLATION OF CIVIL RIGHTS	8	0	0	0.00
FRAUD	8	455,000	3,640,000	56.11
OTHER	8	1,559	12,474	0.19
TOTAL	204	31,800	6,487,129	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1991 -----

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	9	37,699	339,291	5.82
FAILURE TO REACT TO CALENDAR	4	25,000	100,000	1.71
FAIL TO ASCERTAIN DEADLINE CORRECTLY	17	17,191	292,250	5.01
FAIL TO FILE DOCUMENTS WITH NO DEADLINE	2	0	0	0.00
PROCRASTINATION OR LACK OF FOLLOW-UP	8	4,844	38,750	0.66
CLERICAL ERROR	1	0	0	0.00
ERROR IN PUBLIC RECORD SEARCH	5	7,100	35,500	0.61
PLANNING OR STRATEGY ERROR	19	11,316	215,000	3.69
INADEQUATE INVESTIGATION	19	3,003	57,061	0.98
FAIL TO ANTICIPATE TAX CONSEQUENCES	10	500	5,000	0.09
FAIL TO KNOW OR PROPERLY APPLY THE LAW	17	9,894	168,204	2.88
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	14	7,143	100,000	1.71
FAIL TO OBTAIN CLIENTS CONSENT	5	65,330	326,651	5.60
IMPROPER WITHDRAWAL FROM REPRESENTATION	2	10,000	20,000	0.34
CONFLICT OF INTEREST	36	85,847	3,090,500	52.97
LIBEL OR SLANDER	2	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	9	11,306	101,750	1.74
VIOLATION OF CIVIL RIGHTS	5	115,000	575,000	9.86
FRAUD	9	18,090	162,809	2.79
OTHER	14	14,731	206,240	3.54
TOTAL	207	28,184	5,834,006	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1990 -----

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	13	8,423	109,500	4.20
FAILURE TO REACT TO CALENDAR	5	0	0	0.00
FAIL TO ASCERTAIN DEADLINE CORRECTLY	10	4,875	48,750	1.87
FAIL TO FILE DOCUMENTS WITH NO DEADLINE	2	20,000	40,000	1.53
PROCRASTINATION OR LACK OF FOLLOW-UP	8	938	7,500	0.29
CLERICAL ERROR	1	0	0	0.00
ERROR IN PUBLIC RECORD SEARCH	6	0	0	0.00
PLANNING OR STRATEGY ERROR	10	250	2,500	0.10
INADEQUATE INVESTIGATION	17	3,059	52,000	1.99
FAIL TO ANTICIPATE TAX CONSEQUENCES	3	16,167	48,500	1.86
FAIL TO KNOW OR PROPERLY APPLY THE LAW	17	10,176	173,000	6.63
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	8	2,375	19,000	0.73
FAIL TO OBTAIN CLIENTS CONSENT	10	6,313	63,127	2.42
IMPROPER WITHDRAWAL FROM REPRESENTATION	1	65,000	65,000	2.49
CONFLICT OF INTEREST	7	280,893	1,966,250	75.34
LIBEL OR SLANDER	2	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	9	235	2,111	0.08
VIOLATION OF CIVIL RIGHTS	12	21	248	0.01
FRAUD	11	0	0	0.00
OTHER	8	1,563	12,500	0.48
TOTAL	160	16,312	2,609,986	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1989

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	6	7,500	45,000	1.18
FAILURE TO REACT TO CALENDAR	1	0	0	0.00
FAIL TO ASCERTAIN DEADLINE CORRECTLY	14	5,143	72,000	1.88
PROCRASTINATION OR LACK OF FOLLOW-UP	4	7,838	31,350	0.82
CLERICAL ERROR	2	0	0	0.00
ERROR IN PUBLIC RECORD SEARCH	4	4,500	18,000	0.47
PLANNING OR STRATEGY ERROR	8	18,438	147,500	3.85
INADEQUATE INVESTIGATION	11	808	8,892	0.23
FAIL TO ANTICIPATE TAX CONSEQUENCES	6	8,628	51,768	1.35
FAIL TO KNOW OR PROPERLY APPLY THE LAW	5	1,800	9,000	0.24
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	5	4,400	22,000	0.57
FAIL TO OBTAIN CLIENTS CONSENT	5	39,000	195,000	5.09
IMPROPER WITHDRAWAL FROM REPRESENTATION	4	4,250	17,000	0.44
CONFLICT OF INTEREST	6	1,667	10,000	0.26
LIBEL OR SLANDER	2	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	4	0	0	0.00
VIOLATION OF CIVIL RIGHTS	2	0	0	0.00
FRAUD	2	0	0	0.00
OTHER	13	246,196	3,200,552	83.61
TOTAL	104	36,808	3,828,062	100.00



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1988 -----

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO CALENDAR PROPERLY	5	3,600	18,000	7.85
FAILURE TO REACT TO CALENDAR	1	0	0	0.00
FAIL TO ASCERTAIN DEADLINE CORRECTLY	6	1,167	7,000	3.05
PROCRASTINATION OR LACK OF FOLLOW-UP	5	0	0	0.00
LOST FILE, DOCUMENT OR EVIDENCE	2	14,500	29,000	12.64
ERROR IN PUBLIC RECORD SEARCH	2	0	0	0.00
PLANNING OR STRATEGY ERROR	1	0	0	0.00
INADEQUATE INVESTIGATION	9	2,905	26,143	11.40
FAIL TO ANTICIPATE TAX CONSEQUENCES	2	24,500	49,000	21.36
FAIL TO KNOW OR PROPERLY APPLY THE LAW	13	2,404	31,250	13.62
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	4	0	0	0.00
FAIL TO OBTAIN CLIENTS CONSENT	3	0	0	0.00
IMPROPER WITHDRAWAL FROM REPRESENTATION	6	0	0	0.00
CONFLICT OF INTEREST	2	0	0	0.00
LIBEL OR SLANDER	2	1,000	2,000	0.87
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	4	0	0	0.00
VIOLATION OF CIVIL RIGHTS	11	0	0	0.00
FRAUD	9	0	0	0.00
OTHER	4	16,750	67,000	29.21
TOTAL	91	2,521	229,393	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1987

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO REACT TO CALENDAR	1	0	0	0.00
FAIL TO ASCERTAIN DEADLINE CORRECTLY	6	1,250	7,500	44.44
PROCRASTINATION OR LACK OF FOLLOW-UP	1	0	0	0.00
ERROR IN MATHEMATICAL CALCULATION	1	1,875	1,875	11.11
CLERICAL ERROR	1	3,500	3,500	20.74
ERROR IN PUBLIC RECORD SEARCH	1	0	0	0.00
PLANNING OR STRATEGY ERROR	1	0	0	0.00
INADEQUATE INVESTIGATION	2	0	0	0.00
FAIL TO KNOW OR PROPERLY APPLY THE LAW	5	0	0	0.00
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	7	357	2,500	14.81
FAIL TO OBTAIN CLIENTS CONSENT	3	0	0	0.00
IMPROPER WITHDRAWAL FROM REPRESENTATION	1	0	0	0.00
LIBEL OR SLANDER	2	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	1	0	0	0.00
VIOLATION OF CIVIL RIGHTS	4	0	0	0.00
FRAUD	4	0	0	0.00
OTHER	7	214	1,500	8.89
TOTAL	48	352	16,875	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1986 -----

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAIL TO ASCERTAIN DEADLINE CORRECTLY	3	849	2,547	0.78
FAIL TO FILE DOCUMENTS WITH NO DEADLINE	2	40,000	80,000	24.48
PROCRASTINATION OR LACK OF FOLLOW-UP	2	0	0	0.00
PLANNING OR STRATEGY ERROR	3	8,667	26,000	7.95
INADEQUATE INVESTIGATION	1	0	0	0.00
FAIL TO ANTICIPATE TAX CONSEQUENCES	1	0	0	0.00
FAIL TO KNOW OR PROPERLY APPLY THE LAW	3	39,432	118,297	36.19
FAIL TO FOLLOW CLIENTS INSTRUCTIONS	3	0	0	0.00
IMPROPER WITHDRAWAL FROM REPRESENTATION	1	0	0	0.00
FRAUD	3	33,333	100,000	30.60
OTHER	3	0	0	0.00
TOTAL	25	13,074	326,844	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1985

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
ERROR OR OMISSION				
FAILURE TO REACT TO CALENDAR	1	13,000	13,000	6.50
FAIL TO ASCERTAIN DEADLINE CORRECTLY	1	0	0	0.00
PROCRASTINATION OR LACK OF FOLLOW-UP	1	26,000	26,000	13.00
INADEQUATE INVESTIGATION	1	22,000	22,000	11.00
FAIL TO KNOW OR PROPERLY APPLY THE LAW	3	45,329	135,988	68.00
CONFLICT OF INTEREST	1	0	0	0.00
MALICIOUS PROSECUTION OR ABUSE OF PROCESS	2	0	0	0.00
FRAUD	1	0	0	0.00
OTHER	1	3,000	3,000	1.50
TOTAL	12	16,666	199,988	100.00



**INDEMNITY ANALYSIS  
BY  
CLAIM DISPOSITION**



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985-1992

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	234	28,399	6,645,454	34.02
BEFORE TRIAL OR HEARING	247	26,348	6,507,876	33.32
DURING TRIAL OR HEARING	16	48,531	776,500	3.98
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	12	16,255	195,061	1.00
AFTER JUDGMENT, BEFORE APPEAL	60	473	28,351	0.15
DURING APPEAL	4	145,500	582,000	2.98
AFTER APPEAL	23	173,132	3,982,043	20.39
CLAIM OR SUIT ABANDONED	256	3,184	814,998	4.17
TOTAL	852	22,925	19,532,283	100.00



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1992

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	80	15,810	1,264,799	19.50
BEFORE TRIAL OR HEARING	62	8,126	503,787	7.77
DURING TRIAL OR HEARING	5	147,300	736,500	11.35
AFTER APPEAL	11	362,004	3,982,043	61.38
CLAIM OR SUIT ABANDONED	46	0	0	0.00
TOTAL	204	31,800	6,487,129	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1991

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	59	47,422	2,797,925	47.96
BEFORE TRIAL OR HEARING	73	23,052	1,682,780	28.84
DURING TRIAL OR HEARING	3	0	0	0.00
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	3	20	61	0.00
AFTER JUDGMENT, BEFORE APPEAL	6	3,540	21,240	0.36
DURING APPEAL	2	291,000	582,000	9.98
AFTER APPEAL	5	0	0	0.00
CLAIM OR SUIT ABANDONED	56	13,393	750,000	12.86
TOTAL	207	28,184	5,834,006	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1990 -----

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	33	62,068	2,048,250	78.48
BEFORE TRIAL OR HEARING	39	11,529	449,627	17.23
DURING TRIAL OR HEARING	2	20,000	40,000	1.53
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	5	0	0	0.00
AFTER JUDGMENT, BEFORE APPEAL	20	356	7,111	0.27
DURING APPEAL	1	0	0	0.00
AFTER APPEAL	2	0	0	0.00
CLAIM OR SUIT ABANDONED	58	1,121	64,998	2.49
TOTAL	160	16,312	2,609,986	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1989

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	25	4,890	122,242	3.19
BEFORE TRIAL OR HEARING	20	175,541	3,510,820	91.71
DURING TRIAL OR HEARING	2	0	0	0.00
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	2	97,500	195,000	5.09
AFTER JUDGMENT, BEFORE APPEAL	19	0	0	0.00
AFTER APPEAL	1	0	0	0.00
CLAIM OR SUIT ABANDONED	36	0	0	0.00
TOTAL	105	36,458	3,828,062	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1988

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	20	5,038	100,750	43.92
BEFORE TRIAL OR HEARING	21	6,126	128,643	56.08
DURING TRIAL OR HEARING	4	0	0	0.00
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	1	0	0	0.00
AFTER JUDGMENT, BEFORE APPEAL	10	0	0	0.00
AFTER APPEAL	1	0	0	0.00
CLAIM OR SUIT ABANDONED	34	0	0	0.00
TOTAL	91	2,521	229,393	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1987

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	4	2,750	11,000	65.19
BEFORE TRIAL OR HEARING	21	280	5,875	34.81
AFTER JUDGMENT, BEFORE APPEAL	4	0	0	0.00
DURING APPEAL	1	0	0	0.00
AFTER APPEAL	1	0	0	0.00
CLAIM OR SUIT ABANDONED	17	0	0	0.00
TOTAL	48	352	16,875	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

CLAIMS CLOSED=1986

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	7	16,214	113,500	34.73
BEFORE TRIAL OR HEARING	6	35,557	213,344	65.27
AFTER TRIAL OR HEARING, BEFORE JUDGMENT	1	0	0	0.00
AFTER JUDGMENT, BEFORE APPEAL	1	0	0	0.00
AFTER APPEAL	2	0	0	0.00
CLAIM OR SUIT ABANDONED	8	0	0	0.00
TOTAL	25	13,074	326,844	100.00

MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS

----- CLAIMS CLOSED=1985 -----

CLAIM DISPOSITION	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
BEFORE FILING SUIT OR DEMANDING HEARING	6	31,165	186,988	93.50
BEFORE TRIAL OR HEARING	5	2,600	13,000	6.50
CLAIM OR SUIT ABANDONED	1	0	0	0.00
TOTAL	12	16,666	199,988	100.00





**INDEMNITY ANALYSIS  
BY  
YEARS ADMITTED TO PRACTICE**



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985 - 1992

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
YEARS ADMITTED TO PRACTICE				
UNDER 4 YEARS	34	3,342	113,611	0.58
4 TO 10 YEARS	209	9,433	1,971,600	10.09
OVER 10 YEARS	609	28,649	17,447,072	89.32
TOTAL	852	22,925	19,532,283	100.00



**INDEMNITY ANALYSIS  
BY  
INSURED/CLAIMANT RELATIONSHIP**



MISSOURI DEPARTMENT OF INSURANCE  
LEGAL MALPRACTICE INSURANCE  
INDEMNITY ANALYSIS  
FOR YEARS 1985 - 1992

	INDEMNITY PAID			
	NUMBER OF CLAIMS	AVERAGE CLAIM PAID	TOTAL AMOUNT PAID	% OF TOTAL PAID
INSURED'S RELATIONSHIP TO THE CLAIMANT				
FREE LEGAL SERVICE	5	0	0	0.00
MEMBER PRE-PAID LEGAL PLAN	8	2,125	17,000	0.09
CLIENT OTHER THAN ABOVE	603	18,314	11,043,290	56.54
NON-CLIENT	236	35,898	8,471,993	43.37
TOTAL	852	22,925	19,532,283	100.00





**PREMIUM AND  
LOSS DATA**



**MISSOURI DEPARTMENT OF INSURANCE**  
**PAGE 14 SUPPLEMENT LEGAL MALPRACTICE EXPERIENCE**  
**WITH MARKET SHARE**

**1992 EXPERIENCE**

NAIC Company Code	Company Name	Market Share	Written Premium	Earned Premium	Incurred Losses	Loss Ratio
29513	The Bar Plan Mutual Insurance Company	88.122%	11,328,877	11,165,907	6,059,864	54.27%
24767	St. Paul Fire & Marine Ins Co	9.176%	1,179,676	1,244,733	(163,221)	-13.11%
36781	VASA North Atlantic Insurance Company	2.350%	302,153	295,713	47,032	15.90%
20443	Continental Casualty Company	0.339%	43,535	68,571	55,982	81.64%
25518	Transamerica Premier Insurance Company	0.012%	1,599	1,599	(1,000)	-62.54%
<b>Total</b>			<b>12,855,840</b>	<b>12,776,523</b>	<b>5,998,657</b>	<b>46.95%</b>

**EIGHT YEAR SUMMARY**

Year	Written Premium	Earned Premium	Incurred Losses	Loss Ratio
1985	1,119,010	1,093,277	701,846	64.20%
1986	5,907,114	1,200,442	357,699	29.80%
1987	5,217,400	2,995,868	83,537	2.79%
1988	11,516,685	10,804,382	2,553,682	23.64%
1989	13,470,027	13,141,708	3,682,919	28.02%
1990	13,328,666	12,830,301	16,335,699	127.32%
1991	14,514,116	13,669,770	14,375,928	105.17%
1992	12,855,840	12,776,523	5,998,657	46.95%
<b>8-Year Total</b>	<b>77,928,858</b>	<b>68,512,271</b>	<b>44,089,967</b>	<b>64.35%</b>

**LOSS RATIOS**

1985 - 1992

